IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3600 OF 2007
IN
FIRST APPEAL NO.1310 OF 1988

Messrs Shelter & Ors. .....Applicants.

V/s

Shri Rajesh D. Jangira & Ors. .....Respondents.

Mr. K.Y. Mandlik for applicants.

Mr. Parag Shelke i/b Mr. R.N. Thombare for respondents.

CORAM: V.M. KANADE, J.

DATE : 25TH JULY, 2007.

P.C.

1. This is an application for restoration of First Appeal which has been dismissed for want of prosecution as a result of conditional order passed by this Court on 7th March, 2007.

2. It is submitted that in spite of all efforts being taken, service of notice issued by this Court has not been effected on Respondent No.4. It is prayed that applicants may be permitted to serve Respondent No.4 under the provisions of Order V Rule 20 of the Civil Procedure Code. Respondent Nos. 1 to 3 waive service of the notice of the Civil Application.

3. Issue notice to Respondent No.4. Applicants are permitted to serve summons by affixing a copy of the application on the house of Respondent No.4 and also to issue public notice in a news-paper. Notice is made returnable after four weeks. Hamdust permitted.

(V.M. KANADE, J.)